

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.227

CRM-M-29275-2021

Date of decision: 29.10.2021

Mohd Bashir and others

....Petitioners

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Ms. Amandeep Kaur, Advocate, for the petitioners.

Ms. Gunkirat Kaur, Asstt. A.G., Punjab.

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DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.124 dated 22.10.2017 under Sections 201, 323, 324, 326, 148, 149 IPC registered at Police Station City-II, Malerkotla, District Sangrur and all subsequent proceedings arising out of it on the basis of the compromise dated 06.04.2021 (Annexure P-2).

On 28.07.2021 this Court had directed the parties to appear before the Duty Magistrate/Trial Court on 13.08.2021 for recording of their respective statements with regard to the compromise/settlement, who in turn was directed to submit a report along with the recorded statements with regard to the veracity of the compromise, if any, between the parties as also to apprise this Court whether all the accused/petitioners were appearing before the Court are on bail and whether any proceeding is pending against the accused/petitioners.

As directed, report dated 23.09.2021 from the Sub-Divisional
Judicial Magistrate, Malerkotla has been received, as per which the

parties had recorded their statements before the Trial Court in terms of the compromise arrived at between them; no other case is pending against the petitioners and also no proclamation proceedings are pending against them.

Learned State counsel has also raised no objection if the present petition is allowed.

In view of the above, continuation of the proceedings in pursuance of the afore-referred FIR in which the offences are not heinous; the trial is at an early stage and the matter having been compromised, would be an abuse of the process of law and in terms of the law laid down by the Full Bench of this Court in Kulwinder Singh and others Vs. State of Punjab and others, 2007 (3) RCR (Criminal), 1052, this Court deems it just and proper to allow the petition and resultantly quash the FIR No.124 dated 22.10.2017 under Sections 201, 323, 324, 326, 148, 149 IPC registered at Police Station City-II, Malerkotla, District Sangrur and all proceedings arising therefrom, qua the petitioners.

October 29, 2021
Jyoti 1

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No